



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 28, 2003

IN REPLY PLEASE

REFER TO FILE: **PM-1**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**EASTLAKE COURT ENTRY CLOSURE PROJECT
REJECT ALL CONSTRUCTION BIDS
ADOPT, READVERTISE, AND AWARD
SPECS. 5429; C.P. 77343
SUPERVISORIAL DISTRICT 1
3 VOTES**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER THAT
YOUR BOARD:**

1. Reject all construction bids received on May 22, 2003, for the proposed Eastlake Court Entry Closure project.
2. Adopt revised plans and specifications including additive alternates for construction of the Eastlake Court Entry Closure project with an estimated construction contract cost of \$569,023, and instruct the Executive Officer to readvertise for bids on September 9, 2003, to be received on October 9, 2003, in accordance with the "Instruction Sheet for Publishing Legal Advertisements" (Enclosure B).
3. Authorize the Director of Public Works to execute a consultant services agreement with the apparent lowest responsible bidder to prepare a baseline construction schedule that conforms to the applicable contract and bid specifications for a not to exceed fee of \$3,000 funded by existing project funds and establish the effective date following determination by the Director of the apparent lowest responsible bidder.

4. Authorize the Director of Public Works to award the construction contract not to exceed \$569,023 to the apparent lowest responsible bidder meeting the criteria established by your Board, prepare and execute the contract in the form previously approved by County Counsel to be financed from the Fiscal Year 2003-04 Capital Project budget, and establish the effective date following receipt of approved Faithful Performance and Labor and Materials Bonds filed by the contractor.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approving the recommended actions will allow the bid process to resume for the Eastlake Court Entry Closure project. Approving the recommended actions will also authorize the Director of Public Works to award a construction contract in an amount not to exceed \$569,023 to the lowest responsible bidder and allow the project to proceed.

On March 18, 2003, your Board found the project categorically exempt under the California Environmental Quality Act, authorized adopting plans and advertising for bids, and awarded Supplemental Agreement 3 to Viniegra & Viniegra for a not to exceed fee of \$19,000 to amend the construction documents including a redesign of the main entrance of the courthouse. The fee for these services is within the current approved budget.

On May 22, 2003, three bids were received for the project. Tower Engineering was the apparent lowest bidder with a base bid of \$762,159 and additive alternate for exterior work of \$214,298 for a total of \$976,457. The base bid exceeded the Board-approved budget of \$569,000. Lacking additional funds, Public Works directed the architect to revise the project scope to meet the project budget without expense to the County and to provide multiple additive alternates to be awarded based on available funds.

The architect revised plans including a base bid along with four additive alternates. The base bid consists of an expanded waiting area and lobby to better accommodate the public. Alternate 1 is to renovate the existing restrooms to comply with current ADA standards. While Alternate 1 ADA work is not optional, the construction contracting can be performed by the apparent lowest responsible bidder or a JOC contractor provided the combined cost is within the approved budget. Alternate 2 will provide an 800-square-foot open plaza area. Alternate 3 is an expanded walkway to the main entrance of the building with handicapped parking. Alternate 4 is a new entrance canopy and decorative low block wall separating the plaza from the expanded entrance area.

The revised base bid plan and additive alternates will allow the County flexibility to accept the base bid and any or all of the alternates that fall within the approved budget.

The proposed agreement with the apparent lowest responsible bidder to prepare a baseline construction schedule that conforms to the County's schedule specification is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce such a construction schedule. Bid specifications provide that if the apparent lowest bidder fails to complete an acceptable schedule, the Director may return to your Board to recommend that the bidder be determined nonresponsive and recommend awarding the construction contract to the next lowest responsive bidder, contingent on that bidder completing a baseline schedule which conforms to the County's specifications.

Implementation of Strategic Plan Goals

These actions meet the County's Strategic Plan Goals of Service Excellence and Fiscal Responsibility since this construction project provides improved facilities to relieve current overcrowded conditions and increases the County's investment in public infrastructure.

FISCAL IMPACT/FINANCING

Public Works' fair construction cost estimate without contingency for the base construction is \$569,023. The project provides additive alternates to allow flexibility in awarding a construction contract if the bid received is less than the base construction cost of \$569,023. If it is determined that the apparent lowest responsible bid received exceeds the base construction cost of \$569,023, we will return to your Board with recommendations for a reduction in scope or additional funding.

Sufficient appropriation for this work has been included in the Fiscal Year 2003-04 Capital Projects budget and will not increase the approved budget of \$1,124,000.

The Project Schedule and Budget Summary are included in Enclosure A.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration for contract award, bidders will be required to attest their willingness to consider Greater Avenues for Independence Program/General Relief Opportunity for Work participants for future employment.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees about Board Policy 5.135, the Safely Surrendered Baby Law, and that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

Bidders will also be required to show full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported will be considered before making a recommendation to award.

ENVIRONMENTAL DOCUMENTATION

On March 18, 2003, your Board found the project to be categorically exempt as specified in Appendix G, Class 1, Subsection (d), of the Revised Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, which allows for the alteration of existing public facilities involving negligible or no expansion of use beyond that previously existing at the facility.

CONTRACTING PROCESS

On February 29, 2003, the Director of Public Works authorized Contract PW 12111 with Viniegra & Viniegra to provide services for the Eastlake Court Entry Closure project for a not to exceed fee of \$69,200. Three supplemental agreements with Viniegra & Viniegra have been executed for additional design services for a total project design fee of \$111,300.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended agreement, as this agreement is for non-Proposition A services.

Advertising for bids will be in accordance with the County's standard "Instruction Sheet for Publishing Legal Advertisements" (Enclosure B).

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on Public Works contracts.

As requested by your Board on February 3, 1998, this contract opportunity was listed on the "Doing Business with the County" website.

Participation by Community Business Enterprises in the project will be encouraged through Public Works' Capital Projects CBE Outreach Program and by monitoring the good faith efforts of bidders to use CBEs.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on current County services or projects during the performance of the recommended services.

The Honorable Board of Supervisors
August 28, 2003
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CONCLUSION

Please return one adopted copy of this letter to the CAO (Capital Projects Division) and Public Works.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

DAVID E. JANSSEN
Chief Administrative Officer

KL:ma
Document1c

Enc.

cc: County Counsel
Department of Public Social Services (GAIN/GROW Program)
Office of Affirmative Action Compliance
Probation Department
Superior Court

August 28, 2003

ENCLOSURE A

**EASTLAKE COURT ENTRY CLOSURE PROJECT
REJECT ALL CONSTRUCTION BIDS
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SPECS. 5429; C.P. 77343**

I. PROJECT SCHEDULE

Project Activity	Schedule	Revised Schedule
Design		
Contract Execution	01/04/02*	
Construction Document Submittal	01/31/02*	
Jurisdictional Approvals	02/06/02	05/07/03*
Advertise for Bids	03/18/03	09/09/03
Award Construction Contract	05/06/03	10/21/03
Construction		
Substantial Completion	10/02/03	02/09/04
Acceptance	12/04/03	04/06/04

* Denotes completed activities.

II. PROJECT BUDGET SUMMARY

Budget Category	Project Budget
Land Acquisition	N/A
Construction	
(a) Hard Construction	\$ 569,023
(b) Change Order Contingency	\$ 62,644
Subtotal	\$ 631,667
Equipment (telecom/data, audio, security)	\$ 17,000
Plans and Specifications	
(a) Design Services	\$ 69,200
(b) Additional Design Services SA 1	\$ 17,300
(c) Additional Design Services SA 2	\$ 5,800
(d) Additional Design Services SA 3	\$ 19,000
Subtotal	\$ 111,300
Consultant Services	\$ 50,738
Miscellaneous Expenditures	\$ 33,500
Jurisdictional Review and Plan Check	\$ 14,870
County Services	\$ 264,925
Subtotal	
TOTAL	\$ 1,124,000

August 28, 2003

ENCLOSURE B

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PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code, Section 20125, you may publish on September 10, 2003, once a week for two weeks in a weekly newspaper, or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, Eighth Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishing all materials, labor, and equipment required to complete construction for the following work:

SD	<u>SPECS</u>	<u>PROJECT</u>	<u>BID DOC.</u> <u>FEE</u>	<u>DATE OF BID</u> <u>OPENING</u>
		Eastlake Court Entry Closure 1601 Eastlake Avenue		
1	5429	Los Angeles, CA 90033	\$50	10/09/03

Copies of the project manual and drawings may be obtained at the Cashier's Office, Department of Public Works, First Floor, 900 South Fremont Avenue, Alhambra, California 91803, for the fee stated above. For bid information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's Office at or before 10:45 a.m. on the date indicated. Bids will be publicly opened, examined, and declared by Public Works at 11:00 a.m. on this date, First Floor, 900 South Fremont Avenue, Alhambra, California.

Enclosure B
August 28, 2003
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Bids must conform to the drawings and Project Manual and all bidding requirements. This project requires the prime contractor to possess a "B" license classification at the time of bid submittal. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project.

PRE-BID CONFERENCE

The Public Works' Project Management Team will hold a pre-bid conference at 10:30 a.m. on September 18, 2003, at the Eastlake Juvenile Courthouse located at 1601 Eastlake Avenue, Los Angeles, California 90033, to provide information on the project, bidding process, and answer any questions that the potential bidders may have. For further information, please contact Mr. David Asato with the Public Works' Project Management Team at (626) 458-2586.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code to contract with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Upon 72 hours notice, the Department can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 S. Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our departmental ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7:00 a.m. to 5:30 p.m.



Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 S. Avenida Fremont), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones SOLAMENTE, o para mas información del ADA, pongase en contacto con nuestro Coordinador del ADA del departamento al (626) 458-4081 o TDD (626) 282-7829, de Lunes a Jueves de las 7:00 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California,
dated September 9, 2003.

Specs. 5429

VIOLET VARONA-LUKENS, EXECUTIVE OFFICER
OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES